

### **REMARKS**

By the present amendment, Applicant has amended Claims 1, 14, and 19 and cancelled Claims 2-4, 9, 15, and 16. Claims 1, 5-8, 10-14, 19, and 20 remain pending in the present application. Claims 1, 14, and 19 are independent claims.

In the recent Office Action the Examiner rejected Claims 1-4, 8, 9, 12-17, 19, and 20 under 35 U.S.C. § 102(b) as being anticipated by Rollins et al (2,916,182). Claims 4-7, 10, 11, 16, AND 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rollins et al ('182) alone or in view of Truax (6,682,021), Clark (1,608,547), or Thompson (6,357,966).

Applicant has amended each of the independent claims (1, 14, and 19) to define the integral rim (56) as being a rounded, non-circular elliptical configuration, as shown in Figs. 5A, 5B, and 5C. The elliptical configuration is effective at reducing inlet pressure losses for typical gravity operated pipe applications.

Applicant will advance arguments hereinbelow to illustrate the manner in which the presently claimed invention is patentably distinguishable from the cited and applied prior art. Reconsideration of the present application is respectfully requested.

In contradistinction to Applicant's device, Rollins discloses an improved connection between a plate (5) and a tube (6), wherein the lining (9) & (11) is arranged in a way as to afford increased flexibility, especially at the juncture of the plate and tube. The end of the lining is an annular lining section (13) butt-welded (14) & (15) to the lining (9). The annular

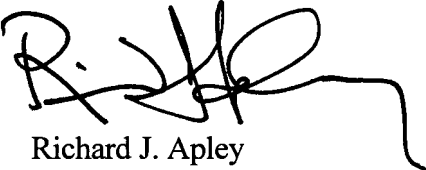
Application No.: 10/827,298  
Art Unit: 3753

Attorney Docket No.: 24294.00  
Confirmation No.: 2571

lining section (13) is described and illustrated as a semi-circular torus having a constant radius R1 (column 2, lines 30-58). The **only** disclosure of a different shape is found on column 2, lines 61-64: *"The invention is not, however, limited to annular lining sections which conform exactly to this geometric preferred shape."* **There is no disclosure that the rim should or can be an ellipse!** The Examiner **incorrectly** states that the rim (13) can be "slightly elliptical" (Rollins' column 2, lines 64-68). The "slightly elliptical" shape Rollins is referring to is the **inner margin (R2)** formed when the annular lining section is formed oblique to the nozzle; the rim (13) remains circular (see Rollins' Fig. 1, element 13, radius R1). Applicant respectfully requests that the rejections based on Rollins be withdrawn.

For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Apley', with a long horizontal flourish extending to the right.

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RJA:dht

Attachments: Petition for Extension of Time: Three (3) months  
Check for \$525.00